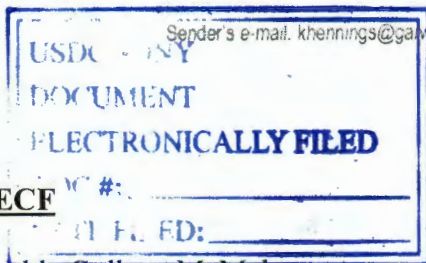


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Honorable Colleen McMahon
Chief Judge, United States District Court
Southern District of New York
500 Pearl Street, Room 2550
New York, NY 10007

July 8, 2020

Handwritten notes:
7/8/2020
J M Smith may certify to KPH's
file an opposition to
motion.

RE: *J M Smith Drug Corp. v. AstraZeneca Pharmaceuticals LP, et al., No. 1:19-cv-07233-CM-SLC*

Dear Judge McMahon:

MEMO ENDORSED

I represent the direct purchaser class plaintiffs in the above-captioned litigation and write with respect to a related direct purchaser litigation assigned to this Court, *KPH Healthcare Services, Inc. v. AstraZeneca Pharmaceuticals, LP, et al., No. 1:20-cv-01096*.

We learned of this case just today. The *KPH Healthcare* complaint was filed on February 7, 2020, (see ECF No. 1 at No. 20-1096), and is largely identical to the *J M Smith* complaint filed in August 2019. Yet, counsel for KPH did not mark its complaint as a related action. See ECF No. 2 at No. 20-1096 (Civil Cover Sheet). It appears that more than a month later counsel for KPH filed a Statement of Relatedness, (see ECF No. 21 at No. 20-1096), but no service of that document was made on *J M Smith* or its lawyers.

It appears that counsel for KPH then moved for the appointment of Dianne M. Nast as Interim Lead Counsel for the direct purchaser class, (see ECF No. 48 at No. 20-1096), but this was not served on *J M Smith* or its counsel, either, even though KPH's motion acknowledged that *J M Smith* had previously filed a motion for the appointment of Garwin Gerstein & Fisher as Interim Lead Counsel for the direct purchaser class in September 2019.

It was fortuitous that a docket search performed today turned up the *KPH Healthcare* case. We now seek the Court's directive. Should the Court desire counsel for *J M Smith* to submit a response to KPH's lead counsel appointment motion, or a formal motion for consolidation of all direct purchaser cases, counsel will do so.

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Respectfully submitted,

/s/ Kimberly Hennings

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cc (via electronic mail): Counsel of Record for Defendants; Counsel of Record for KPH
Healthcare